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IN THE CIRCUIT COURT FOR THE SEVENTH JUDICIAL CIRCUIT  
COOK COUNTY, ILLINOIS

FILED

MAY 6, 2008  
MAY 6, 2008

PEOPLE OF THE STATE OF ILLINOIS, )

Plaintiff, JEFFERY LATHAM )

vs. )

JOSEPH BURKE ET AL. )

Defendant. )

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURTCase No. 08C0303James Holderman

Judge Presiding

MOTION FOR APPOINTMENT OF COUNSEL  
OTHER THAN THE PUBLIC DEFENDER

NOW COMES Jeffery Latham, pro se, Defendant herein and pursuant to Chapter 55, Sec. 5/3-4006 and 705 ILCS 35/25, respectfully moves this Honorable Court to appoint counsel other than the Public Defender, in the above entitled cause.

In support thereof Defendant states the following:

1. Defendant is: (check appropriate letter)

     A) Presently before this Court facing criminal felony offense(s) of: \_\_\_\_\_

X B) seeking appeal of his conviction before this Court in which the Public Defender represented him before the Court and claim(s) of inadequate counsel are being raised against the State representation or attorney misconduct, which Defendant feels would create a conflict of interest for the State to represent his interest against the Public Defender's action(s) and/or inaction in the Trial Court.

2. Defendant believes that he would be extremely prejudiced by representation from the State Public Defenders office in this cause.

3. Defendant states the following facts in support of this motion as to counsel's inadequacies and/or disadvantages to having representation from the Public Defender's office

*That Defendant is Telling Pro'se  
And do not fully understand the Law  
And needs Counsel's Help.*

(Attach additional page(s) if needed).

4. Defendant avers that his rights have been and/or shall continue to be substantially harmed and prejudiced by the continued representation by the State Public Defender, or resulting in an absolute conflict of interest (see e.g., *People v. Albanese*, 125 Ill.2d 100; and *People v. Washington*, 101 Ill.2d 104 (1984)).

WHEREFORE, Defendant prays the Court to appoint counsel other than the Public Defender in the above captioned cause.

Respectfully submitted,

*Jeffery Zathra*

IN THE  
UNITED STATES  
DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

JEFFER LATHAM

Plaintiff,

Case No. 08C0303

v.

JOSEPH BURKE, et al,

Defendant

**PROOF/CERTIFICATE OF SERVICE**

TO: UNITED STATES

TO:

DISTRICT COURT

219 South Dearborn Street

CHICAGO ILLINOIS

NORTHERN DISTRICT OF ILLINOIS

PLEASE TAKE NOTICE that on 4-29, 2008, I have placed the documents listed below in the institutional mail at Hill Correctional Center, properly addressed to the parties listed above for mailing through the United States Postal Service: 4-29-2008.

Hill Correctional Center P.O. Box 1700  
Galesburg Illinois 61401

Pursuant to 28 USC 1746, 18 USC 1621 or 735 ILCS 5/109, I declare, under penalty of perjury, that I am a named party in the above action, that I have read the above documents, and that the information contained therein is true and correct to the best of my knowledge.

DATE: 4-29-2008

Jeffery Latham  
 NAME: Jeffery Latham  
 IDOC#: B30158  
Hill Correctional Center  
 P.O. BOX 1700  
Galesburg, IL 61401

Plaintiff Jeffery Latham Case No. 08C0303.

is writing the Court ASKING the Court to EXCEPT  
this letter AS AN EXTENSION OF TIME.

Plaintiff Did Not Receive copy of the NOTICE OF Appeal  
until 4-21-2008. AND Hill Corr Center was on  
lockdowns From 4-4-2008 - until 4-22-2008 AND  
Plaintiff Could Not do any Research on the matter.

Hill Correctional Center Does Not treat Civil  
Legal mail as Legal mail unless the Court Stamps  
the mail as Legal mail therefore the mail is  
withheld for at least five to six days before  
Inmate receives the mail.

Thank you for your Time #B30158  
Jeffery Latham